



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

September 28, 2005

SUBJECT: **2005-0847 - Graham Godfrey** [Applicant] **George W Smith**
Trustee [Owner]: Application for a 7,000 square-foot site
located at **297 East Washington Avenue** (near Carroll St) in
DSP-3 (Downtown Specific Plan/Block 3) Zoning District.
(APN: 209-05-011) SL

Motion **Special Development Permit** to allow a martial arts studio
within an existing tenant space of a commercial building.

REPORT IN BRIEF

Existing Site Neighborhood Shopping Center
Conditions

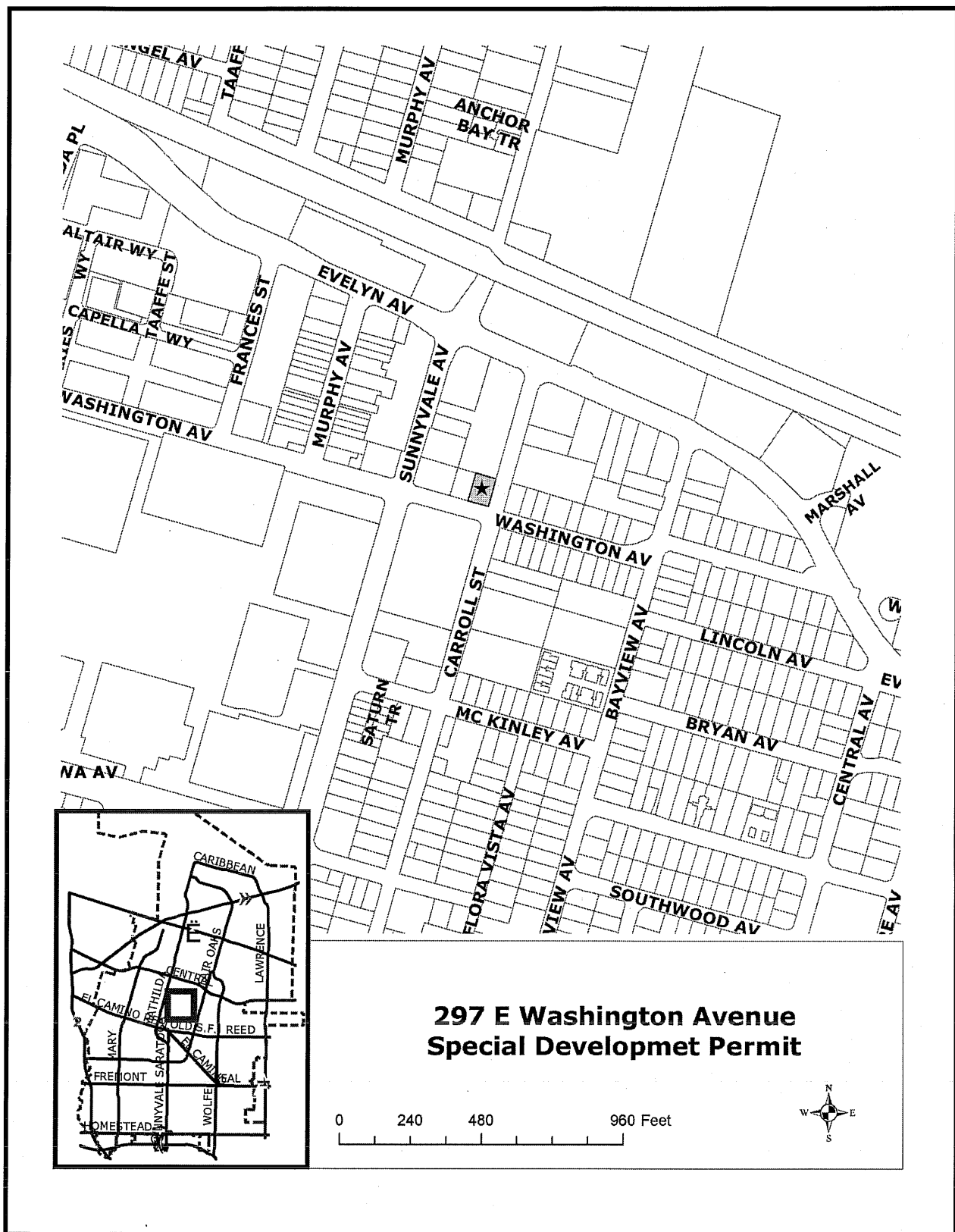
Surrounding Land Uses

North	Parking Lot
South	High Density Residential Apartments
East	Religious Assembly Facility
West	Automotive Repair

Issues Compatibility of the proposed use with the existing
surrounding uses.

Environmental A Class 1 Categorical Exemption relieves this project
Status from California Environmental Quality Act provisions
and City Guidelines.

Staff Approval with conditions
Recommendation



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Downtown Specific Plan	Same	Downtown Specific Plan
Zoning District	DSP-3	Same	DSP-3
Lot Size (s.f.)	7,000	Same	No min.
Gross Floor Area (s.f.)	4,975	Same	No max.
Gross Floor Area of Tenant	970	Same	No max.
Lot Coverage (%)	70%	Same	100% max.
No. of Buildings On-Site	1	Same	---
No. of Stories	1	Same	4 max.
Landscaping (sq. ft.)			
Total Landscaping	50 sf	Same	All areas not devoted to parking
Parking			
Total Spaces	7	Same	No min. (Site is located within the Downtown Parking District)
Standard Spaces	7	Same	No min.
Accessible Spaces	1	Same	1 min.
Bicycle Parking	0	Same	No min.

ANALYSIS**Description of Proposed Project**

The applicant is proposing to open a martial arts studio in a tenant space previously occupied by a martial arts studio. The previous use did not receive a Special Development Permit to occupy the space. Classes consist of martial arts training for children and adults with class sizes at a maximum of eight students. The majority of classes are offered during the evenings and on weekends, although a small number of classes may be offered during the day. The proposed hours of operation are from 10:00am to 9:00pm Monday thru Friday and 10:00am to 6:00pm Saturday and Sundays.

Background

Previous Actions on the Site: There are no previous planning applications related to this site.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemption includes Use Permits.

Special Development Permit

Use: The proposed use is a martial arts studio within an existing commercial building. The use may be allowed in the Downtown Specific Plan Zoning District with approval of a Special Development Permit.

Downtown Specific Plan: The Downtown Specific Plan (DSP) states that the commercial core (Blocks 1a, 1, 2, 3, 13, 18, and 20) should support a wide range of uses ranging from office, retail, personal service and high-density housing. The DSP states two main goals: to link the different blocks together into a cohesive downtown core and to create a lively street life on all primary streets.

Landscaping: The site currently has less than 10% landscaping. The DSP requires that all areas not devoted to parking and structures shall be landscaped. The site currently meets these criteria. In this case the square footage of the site is entirely covered by either buildings or the parking spaces in the rear of the building. Staff conducted a site visit and did not identify any opportunities for increased landscaping.

Parking/Circulation: Currently there are seven parking spaces on site including one accessible space. The project site is within the Downtown Parking District. All customer parking is on-street and in the Downtown parking lots.

Compliance with Development Standards/Guidelines: The application meets all other development standards.

Expected Impact on the Surroundings: The project site is surrounded on two sides by office/retail uses and by single-family residential on the other two sides. Staff expects there will not be an increase in peak hour traffic near the site relative to the previous business that occupied the tenant space. Staff also believes there will not be a significant impact to the surrounding neighbors resulting from this proposed business.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Planning Commission Study Session: Optional

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 14 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Approve the Special Development Permit with attached conditions.
2. Approve the Special Development Permit with modified conditions.
3. Deny the Special Development Permit.
4. Direct staff as to where additional environmental analysis is required.

Recommendation

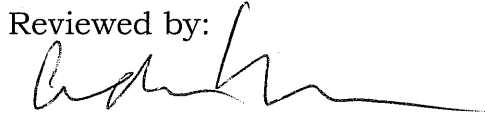
Alternative 1

Prepared by:



Steve Lynch
Project Planner

Reviewed by:



Andrew Miner
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Letter from the Applicant
- D. Photos of the Site
- E. Site and Architectural Plans

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element***Policy C4.3: Consider the need of business as well as residents when making land use and transportation decisions.***

Staff finds that this use will be complementary to the existing uses in the commercial center in terms of parking usage of the site. Staff also finds that the proposed use will not cause an increase in peak hour traffic near the site relative to the previous use that occupied the tenant space.

Policy N1.14: Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

The martial arts use is proposed to be located in the DSP-3 zone where there may be issues of compatibility. Staff finds that proposal is compatible with the existing business and residential uses in the area. The use will not negatively impact adjacent properties or significantly increase noise and traffic in the neighborhood.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project meets the goals of the DSP and is compatible with the surrounding neighborhood.
2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties because the proposed use is compatible with the existing businesses in the commercial center and the use will not negatively impact the parking demand at the site.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- C. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- D. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- E. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- F. Hours of operation shall be limited to the following hours:
 - Monday - Friday: 10:00am – 9:00pm
 - Saturday- Sunday: 10:00am – 6:00pm
 - Special events Monday – Saturday: 8:00am – 10:00pm
- G. The maximum number of customers shall not exceed eight persons at any one time.

WRITTEN DESCRIPTION OF THE PROJECT

The project is the opening of a Karate studio at 297 E. Washington Ave. in the City of Sunnyvale. The business previous to this was also a Karate studio. Because the businesses are basically the same almost no changes need to be made in order to facilitate a smooth transition to the new business. To date no substantive changes have been made to the building. The inside has been repainted and some tiles have been replaced. Old mats have been replaced and the new owner has purchased new equipment. A fan has been installed in the bathroom and improvements have been made where necessary, but no structural changes have been made or planned. The studio should have no impact on surrounding businesses.

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APPENDIX D
of 3

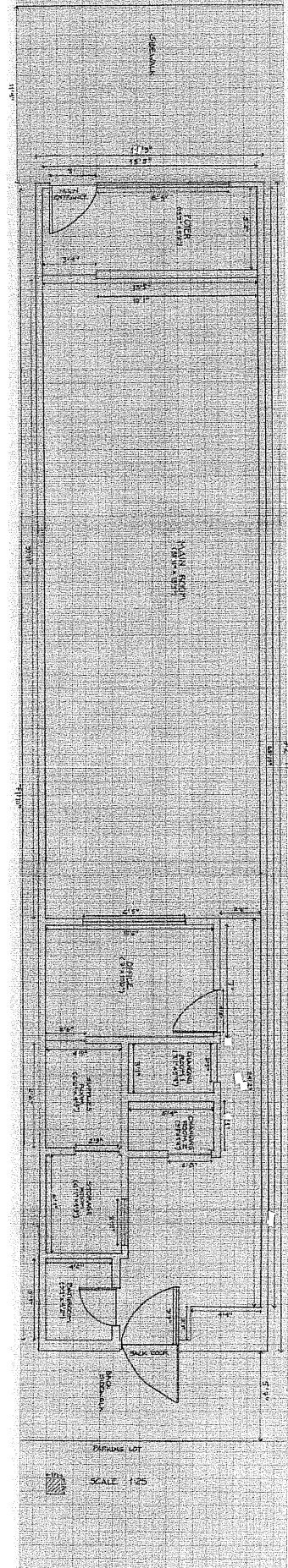




ATTACHMENT E

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SUNNYVALE KENPO KARATE
207 E WASHINGTON AVE.



SCALE 1:25